

CITY OF HANNIBAL
OFFICIAL COUNCIL PROCEEDINGS

Tuesday, March 19, 2019
Council Chambers
7:00 p.m.

ROLL CALL

Present: Council Members Van Hoose, Welch, Veach, Godert, Cogdal and Mayor Hark – 6

Absent: Mayor Pro Tem Dobson - 1

CALL TO ORDER

There being a quorum present, Mayor Hark called the meeting to order.

INVOCATION

The invocation was given at this time by Council Member Van Hoose.

PLEDGE OF ALLEGIANCE

Mayor Hark then requested Police Officer Smith to lead the Pledge of Allegiance to the Flag.

A motion was then made by Council Member Veach to excuse Mayor Pro Tem Dobson from tonight's meeting. The motion was seconded by Council Member Van Hoose.

Motion carried.

APPROVAL OF AGENDA

A motion was then made by Council Member Veach to approve the agenda, as presented and posted. The motion was seconded by Council Member Godert.

Motion carried.

APPROVAL OF MINUTES
Regularly Scheduled Council Meeting – March 5, 2019

A motion was made by Council Member Godert to approve the minutes from the regularly scheduled Council meeting held March 5, 2019. The motion was seconded by Council Member Veach.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – March, 2019

A motion was made by Council Member Van Hoose to approve the payroll and claims for the first half of March, 2019. The motion was seconded by Council Member Veach.

Motion carried.

JEFF ARP, MIRMA LOSS CONTROL SPECIALIST
Re: Loss Prevention Evaluation and Score

Jeff Arp, MIRMA Loss Control Specialist, approached Council to report on the City's recent loss prevention evaluation and to share the score. Arp informed Council he has been with MIRMA for over 20 years. He stated that MIRMA is the City's "insurance company". Each year MIRMA completes an assessment around January to February of the City's overall safety and loss prevention activities. Arp explained there are 10 pages with 90 items assessed in the evaluation process. This evaluation is a long, very intensive process. Again this year, the City received a 100% on the evaluation, which is the seventh consecutive year. Arp then presented a plaque to the City of Hannibal.

Mayor Hark then requested all City department heads in attendance to come forward to accept the plaque presented by Arp.

TRISH O'CHELTREE – HANNIBAL JAYCEES
Re: Request, Street Closures & Carnival Fee Waiver
National Tom Sawyer Days & Parade
June 29 – July 6, 2019

Trisha O'Cheltree, a member of the Hannibal Jaycees, came forward to request street closures and a carnival fee waiver for National Tom Sawyer Days and its annual parade.

Requested Street Closures:

1. 3rd Street under both sides of the viaduct
2. N. Main Street from Hill to North Streets for the fence painting contest (begins at 2:00 p.m. on 7/6/18 and 7/7/18)

3. Lyon Street from Third Street viaduct to South Main Street, South Main Street (South) to Jefferson Street (If the flood gates are in place the carnival will end at the flood wall) – The carnival will stay on South Main Street just past the railroad tracks to former Jefferson Street area.
4. Parade: July 4th - Broadway beginning at Grand Avenue, extending to and including South Main Street, ending on Church Street. They also request no parking on Broadway after midnight on July 4th for the parade and requested assistance from Hannibal Police Department with traffic control during the parade.
5. Use of the City's parking lot next to Admiral Coontz Recreation Center for carnival storage/parking.
6. Alley closure between South Main and Third Streets at Lyon Street (Hannibal Jaycee property – Tanyard Gardens)

They are also again requesting any fees for the carnival, Archway Amusements to be waived.

Mayor Hark asked about the status of their certificate of insurance. O'Cheltree said she had already sent this to the Clerk's office via e-mail. Mayor Hark asked Deputy Clerk Golian to follow up on this matter.

Council Member Welch made a motion to approve the above street closures, use of City property, along with waiving carnival fees for the Hannibal Jaycees, National Tom Sawyer Days, to be held June 29 – July 6, 2019. The motion was seconded by Council Member Van Hoose.

Motion carried.

BILL WEBBER – KIWANIS CLUB OF HANNIBAL
Re: Request, Street & Parking Space Closures
43rd Annual Samuel L. Clemens Arts & Crafts Festival
July 2-6, 2019

Mr. Bill Webber, representing the Kiwanis Club of Hannibal, came forward to request the use of City properties for the 43rd Annual Samuel L. Clemens Arts and Crafts Festival to be held July 2-6, 2019:

1. July 2-6: Central Park
2. July 3-6: The parking spaces on the west side of Fourth Street from Center Street to Broadway
3. July 4-6: Fourth Street between Center Street and Broadway

Mayor Hark advised Council that the Kiwanis Club has already submitted their hold harmless agreement and certificate of insurance to the City.

Council Member Veach made a motion to approve the above street closures for the 43rd Annual Arts and Crafts Festival for July 2-6, 2019. The motion was seconded Council Member Welch.

Motion carried.

KEN MARKS – HANNIBAL HISTORY MUSEUM
Re: Request, Street Closures & Use of City Owned Property
Big River Steampunk Festival
August 30 – September 2, 2019

Ken Marks, with Hannibal History Museum, approached Council to request street closures and use of City owned property for the 6th Annual Big River Steampunk Festival. The event will be held August 30, 2019 beginning at 9:00 a.m. through September 2nd, at 5:00 p.m. He is requesting City Council's approval for street closures, with barricades, on the following streets:

1. North Main Street and the adjoining alleyways closed for construction, Friday, August 30th, for construction to begin.
2. Use of the parking lot at the corner of Bird and North Main Street to be closed Thursday, August 29th, at 5:00 p.m.

Marks stated there will be a short procession which will be held August 31st at 10:00 a.m., just as they have done in previous years. Mayor Hark then questioned Marks in regards to the sale of alcohol, in which Marks stated he is unsure, at this time if they will be selling alcohol. Marks stated he was told by the Clerk's office if he wishes to sell alcohol he will then need to come before Council with an amended request, in which he concurred. Mayor Hark then questioned Marks about their certificate of insurance, in which he advised the certificate of insurance won't be available until everything is set in place, closer to the event date.

A motion was made by Council Member Veach to approve, pending the certificate of insurance being on file, the requested street closures and use of City owned property for the Big River Steampunk Festival to be held August 30 – September 2, 2019. The motion was seconded by Council Member Welch.

Motion carried.

Re: Request, Financial Assistance
Hannibal History Museum – Fiscal Year 2019

Marks next item is a request for financing for the Hannibal History Museum from the City of Hannibal. Marks stated the museum, which is a 501C, is co-founded by him and his wife, Lisa Marks. This museum promotes the history of Hannibal and has approximately 20,000 visitors a year. Marks commented that so many local attractions have increased their prices however, the Hannibal History Museum has not. They appreciate the history of Hannibal and love sharing and preserving it and it gives the City of Hannibal a place to contain history. They hope their passion will "flow over" on others and hopefully people and/or investors will refurbish some of the old homes in Hannibal. Marks stated he and his wife have been trying to recruit new investors. They have received some but not as many as they desire. Some of their funding does come from the proceeds of the annual Steam Punk Festival, along with other donations. Unfortunately, since 2014 the museum has been in the negative. Even with the museum being a 501C, someone is still financially held responsible, which falls on him and his wife. Marks stated he is willing to work with the City in terms of possibly a grant or whatever the City can manage, but is asking for \$14,000. This would help with the very basics at the museum. They have applied for grants but the restrictions on those have become very intense and some of the grants require fund matching. He is not able to apply for grants due to lack of funds and inability to match the

amounts. He did want to mention that neither he nor his wife are getting paid administration fees from the museum.

Council Member Cogdal questioned the Council if they had received copies of Marks' proposal that he had sent to them before tonight's meeting, in which all concurred.

Mayor Hark stated that the City is in the process of working on their fiscal year budget, which will begin July 1st. The City will be having their budget workshop in the next couple of months and they have many discussions to be held and decisions to be made. Mayor Hark stated he will also need to discuss the legality of the City funding the museum with City Attorney Lemon as well.

HEATH HALL – BOARD OF PUBLIC WORKS GENERAL MANAGER

Re: Update Sewer Ordinances *(Resolution No. 2198-19 to follow)*

Heath Hall, Board of Public Works General Manager, approached Council requesting approval to proceed with a code amendment to the current sewer ordinances. Hall stated the Missouri Department of Natural Resources (MDNR) completed an inspection in 2014, along with the Environmental Protection Agency (EPA) completing one in 2017. Some deficiencies were found with the existing pretreatment program and updates are required to reflect existing regulations. Hall explained three documents require updating:

- Pretreatment Ordinances
- Enforcement response plan
- Local limits report

Hall indicated the BPW has been working with their consultant, Kim Cole with KimHec, to assist with bringing the program back into EPA and MDNR compliance. He explained the City Attorney has had the updates since November, to review, ensuring the wording is correct. City Attorney Lemon stated there was a little "tweaking" needed but he feels it is appropriate for BPW to proceed.

Hall explained after the BPW and the City approve the updates and modifications this evening, MDNR will move forward with the public notice process. After that process is complete, there will be a final approval process that is required, amending the code.

Hall stated Resolution No. 2198-19 is to follow for approval.

Re: Modifications to Wholesale Distribution Service Agreement

Ameren Services Company *(Resolution No. 2199-19 to follow)*

Hall explained his next item is a service agreement with Ameren Services Company. He stated Hannibal's electric system has two sources of electrical power from the Ameren transmission system, which provides electricity to all customers. The two Ameren sources are the Marion Substation (located near Mark Twain Cave) and West Switch Station (near the Rocket). Hall explained their diesel generator project was completed in 2018, which required Ameren to install protective relays at both locations.

Hall indicated the BPW had previously agreed to pay for the protective relay upgrades and agreed on a construction services contract with all the details on payment, schedule, etc. Since the project is now complete, the new contract with Ameren Services Company will now reflect the cost of the upgrades. This agreement was last modified in 2009, after the West Switch Station installation. Hall stated the facilities charge for the Marion Substation will increase from \$19,912 to \$33,517 per month.

He stated currently there is not a wholesale distribution facilities charge for the West Switch Station because it is not considered a distribution connection by Federal Energy Regulatory Commission (FERC). Hall explained after the switch station was originally constructed in 2009, BPW paid for the site construction outright instead of entering into a Wholesale Distribution Service Agreement.

Hall stated he forwarded the information/contract to the City Attorney for review and it was approved at their Board meeting on March 18th, and Resolution No. 2199-19 is to follow for approval, for the City Council.

EDIE PRICE – DPW MANAGEMENT ASSISTANT

Re: Request, Set Public Hearing – Determination Appropriate Locations, Medical Marijuana Use

C, D, E, E-1 and F Zoning Districts & Setback Requirements

Tuesday, April 2, 2019 – 6:45 p.m.

Eddie Price, DPW Management Assistant, approached Council requesting a public hearing be set Tuesday April 2, 2019 at 6:45 p.m. Price stated she received a request to adjust the City's zoning ordinance relative to *Amendment 2* vote in November. This amendment authorized the following:

- legalized marijuana for medical purposes
- tax marijuana sales at 4 percent
- spend tax revenue on healthcare services for veterans

Price explained this would affect the C, D, E, E-1 and F Zoning Districts and their current setback requirements. The Planning and Zoning Commission public hearing for this request has been set for March 28, 2019 at 4:00 p.m. The Department of Public Works is requesting that Council set their public hearing date for April 2, 2019 at 6:45 p.m.

A motion was made by Council Member Veach to approve the public hearing to be set for Tuesday, April 2, 2019 at 6:45 p.m. The motion was seconded by Council Member Welch.

Motion carried.

BILL NO. 19-004

AN ORDINANCE REZONING ALL OF LOT NUMBER TWO (2) AND THE SOUTH THREE (3) FEET OF LOT NUMBER THREE (3) IN BLOCK NUMBER TWENTY-SEVEN (27) IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM THE E-COMMERCIAL TO A-ONE- & TWO-FAMILY ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

Second & Final Reading

A motion was made by Council Member Van Hoose to have the Deputy City Clerk read Bill No. 19-004 and call the roll for adoption. The motion was seconded by Council Member Godert.

ROLL CALL

Yes: Council Members Van Hoose, Welch, Veach, Godert, Cogdal and Mayor Hark - 6

No: - 0 -

Absent: Mayor Pro Tem Dobson - 1

Motion carried.

Mayor Hark declared Bill No. 19-004 duly approved and adopted on this date.

RESOLUTION NO. 2198-19

A RESOLUTION OF THE CITY OF HANNIBAL TO UPDATE THE CITY SEWER ORDINANCES TO REFLECT THE EXISTING PRETREATMENT PROGRAM REQUIREMENTS ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY AND MISSOURI DEPARTMENT OF NATURAL RESOURCES

A motion was made by Council Member Veach to have the Deputy City Clerk read Resolution No. 2198-19 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

Yes: Council Members Van Hoose, Welch, Veach, Godert, Cogdal and Mayor Hark - 6

No: - 0 -

Absent: Mayor Pro Tem Dobson - 1

Motion carried.

Mayor Hark declared Resolution No. 2198-19 duly approved and adopted on this date.

RESOLUTION NO. 2199-19

**A RESOLUTION OF THE CITY OF HANNIBAL TO
APPROVE THE MODIFICATIONS TO THE WHOLESALE
DISTRIBUTION SERVICE AGREEMENT, WITH THE
HANNIBAL BOARD OF PUBLIC WORKS AND AMEREN
SERVICES COMPANY**

A motion was made by Council Member Godert to have the Deputy City Clerk read Resolution No. 2199-19 and call the roll for adoption. The motion was seconded by Council Member Veach.

ROLL CALL

Yes: Council Members Van Hoose, Welch, Veach, Godert, Cogdal and Mayor Hark - 6

No: - 0 -

Absent: Mayor Pro Tem Dobson - 1

Motion carried.

Mayor Hark declared Resolution No. 2199-19 duly approved and adopted on this date.

CLOSED SESSION
In Accordance with RSMo. 610.021 (3)
○ *Personnel*

Mayor Hark then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraph (3), personnel, admitting himself, City Council Members, City Attorney James Lemon, Deputy City Clerk Candy Golian and Finance Director Karen Burditt. A motion was made by Council Member Veach to enter into closed session. The motion was seconded by Council Member Welch.

ROLL CALL

Yes: Council Members Van Hoose, Welch, Veach, Godert, Cogdal and Mayor Hark – 6

No: - 0 -

Absent: Mayor Pro Tem Dobson - 1

Motion carried.

OPEN SESSION

A motion was made by Council Member Godert to return to open session. The motion was seconded by Council Member Cogdal.

Motion carried.

ADJOURNMENT

A motion was then made by Council Member Godert to adjourn the meeting. The motion was seconded by Council Member Cogdal.

Motion carried.

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC, CMO - City Clerk